

Fixed Recoverable Costs Information

Fixed recoverable costs apply to some legal cases. “Fixed recoverable costs” mean that the amount of legal costs that you can recover from your opponent is set at a fixed amount by the Court rules.

Whether fixed costs apply can depend on when your case starts. In general terms, if your case started before 1 October 2023, fixed costs are only likely to be relevant to you if your case was a personal injury case. If your case started after 1 October 2023, fixed costs might be relevant to you whatever sort of case you have.

In this document we set out tables showing the fixed costs for the different types of case.

These tables summarise the fixed recoverable costs. They don't set out the fixed costs rules (or the exceptions to them) in full. The full rules are set out in Part 45 of the Civil Procedure Rules and the associated Practice Direction. If you would like more information about how fixed recoverable costs might apply to your case, please ask us.

All of the fixed costs figures in the tables that follow exclude VAT and disbursements.

Cases that started before 1 October 2023

For cases that started before 1 October 2023 fixed recoverable costs depend on what sort of case you have.

Protocol Fixed Recoverable Costs

These are the fixed recoverable costs for personal injury claims that start and finish within one of the pre-action protocols for low value personal injury cases.

Road Traffic Accident Claims

Where the value of the claim for damages is not more than £10,000		Where the value of the claim for damages is more than £10,000	
Stage 1 fixed costs	£200	Stage 1 fixed costs	£200
Stage 2 fixed costs	£300	Stage 2 fixed costs	£600
Stage 3 - Type A fixed costs	£250	Stage 3 - Type A fixed costs	£250
Stage 3 - Type B fixed costs	£250	Stage 3 - Type B fixed costs	£250
Stage 3 - Type C fixed costs	£150	Stage 3 - Type C fixed costs	£150

Employers Liability and Public Liability Claims

Where the value of the claim for damages is not more than £10,000		Where the value of the claim for damages is more than £10,000	
Stage 1 fixed costs	£300	Stage 1 fixed costs	£300
Stage 2 fixed costs	£600	Stage 2 fixed costs	£1300
Stage 3 - Type A fixed costs	£250	Stage 3 - Type A fixed costs	£250
Stage 3 - Type B fixed costs	£250	Stage 3 - Type B fixed costs	£250
Stage 3 - Type C fixed costs	£150	Stage 3 - Type C fixed costs	£150

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“Out of Protocol” Fixed recoverable costs

These are fixed recoverable costs for personal injury claims that start within one of the pre-action protocols for low value personal injury cases, but which leave the protocol before the case has finished. They also apply to “Package Travel” Holiday Sickness cases.

Road Traffic Accident Cases

A. If Parties reach a settlement prior to the claimant issuing proceedings under Part 7

Agreed damages	At least £1,000, but not more than £5,000	More than £5,000, but not more than £10,000	More than £10,000	
Fixed costs	The greater of— (a) £550; or (b) the total of— (i) £100; and (ii) 20% of the damages	The total of— (a) £1,100; and (b) 15% of damages over £5,000	The total of— (a) £1,930; and (b) 10% of damages over £10,000	

B. If proceedings are issued under Part 7, but the case settles before trial

Stage at which case is settled	On or after the date of issue, but prior to the date of allocation under Part 26	On or after the date of allocation under Part 26, but prior to the date of listing	On or after the date of listing but prior to the date of trial	
Fixed costs	The total of— (a) £1,160; and (b) 20% of the damages	The total of— (a) £1,880; and (b) 20% of the damages	The total of— (a) £2,655; and (b) 20% of the damages	

C. If the claim is disposed of at trial

Fixed costs	The total of— (a) £2,655; and (b) 20% of the damages agreed or awarded; and (c) the relevant trial advocacy fee			
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D. Trial advocacy fees

Damages agreed or awarded	Not more than £3,000	More than £3,000, but not more than £10,000	More than £10,000, but not more than £15,000	More than £15,000
Trial advocacy fee	£500	£710	£1,070	£1,705

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Employers' Liability claims

A. If Parties reach a settlement prior to the claimant issuing proceedings under Part 7

Agreed damages	At least £1,500, but not more than £5,000	More than £5,000, but not more than £10,000	More than £10,000	
Fixed costs	The total of— (a) £950; and (b) 17.5% of the damages	The total of— (a) £1,855; and (b) 12.5% of damages over £5,000	The total of— (a) £2,500; and (b) 10% of damages over £10,000	

B. If proceedings are issued under Part 7, but the case settles before trial

Stage at which case is settled	On or after the date of issue, but prior to the date of allocation under Part 26	On or after the date of allocation under Part 26, but prior to the date of listing	On or after the date of listing but prior to the date of trial	
Fixed costs	The total of— (a) £2,630; and (b) 20% of the damages	The total of— (a) £3,350; and (b) 25% of the damages	The total of— (a) £4,280; and (b) 30% of the damages	

C. If the claim is disposed of at trial

Fixed costs	The total of— (a) £4,280; (b) 30% of the damages agreed or awarded; and (c) the relevant trial advocacy fee			
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D. Trial advocacy fees

Damages agreed or awarded	Not more than £3,000	More than £3,000, but not more than £10,000	More than £10,000, but not more than £15,000	More than £15,000
Trial advocacy fee	£500	£710	£1,070	£1,705

Public Liability Claims

A. If Parties reach a settlement prior to the claimant issuing proceedings under Part 7

Agreed damages	At least £1,500, but not more than £5,000	More than £5,000, but not more than £10,000	More than £10,000	
Fixed costs	The total of— (a) £950; and (b) 17.5% of the damages	The total of— (a) £1,855; and (b) 10% of damages over £5,000	The total of— (a) £2,370; and (b) 10% of damages over £10,000	

Fixed Recoverable Costs Information

B. If proceedings are issued under Part 7, but the case settles before trial

Stage at which case is settled	On or after the date of issue, but prior to the date of allocation under Part 26	On or after the date of allocation under Part 26, but prior to the date of listing	On or after the date of listing but prior to the date of trial	
Fixed costs damages	The total of— (a) £2,450; and (b) 17.5% of the damages	The total of— (a) £3,065; and (b) 22.5% of the damages	The total of— (a) £3,790; and (b) 27.5% of the damages	

C. If the claim is disposed of at trial

Fixed costs	The total of— (a) £3,790; (b) 27.5% of the damages agreed or awarded; and (c) the relevant trial advocacy fee
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D. Trial advocacy fees

Damages agreed or awarded	Not more than £3,000	More than £3,000, but not more than £10,000	More than £10,000, but not more than £15,000	More than £15,000
Trial advocacy fee	£500	£710	£1,070	£1,705

Fixed Application Costs

If an application has to be made in an “Out of Protocol” case before the case has finished then the fixed recoverable costs for it are £250.

Cases that started on or after 1 October 2023

For cases that start after 1 October 2023 fixed costs depend on what sort of case you have.

Protocol Fixed Recoverable Costs

These are fixed recoverable costs for personal injury claims that start and finish within one of the pre-action protocols for low value personal injury cases.

Road Traffic Accident Claims

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Stage 3 - Type A fixed costs	£250	Stage 3 - Type A fixed costs	£250
Stage 3 - Type B fixed costs	£250	Stage 3 - Type B fixed costs	£250

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Stage 3 - Type C fixed costs	£150	Stage 3 - Type C fixed costs	£150
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Employers Liability and Public Liability Claims

Where the value of the claim for damages is not more than £10,000		Where the value of the claim for damages is more than £10,000	
Stage 1 fixed costs	£300	Stage 1 fixed costs	£300
Stage 2 fixed costs	£600	Stage 2 fixed costs	£1300
Stage 3 - Type A fixed costs	£250	Stage 3 - Type A fixed costs	£250
Stage 3 - Type B fixed costs	£250	Stage 3 - Type B fixed costs	£250
Stage 3 - Type C fixed costs	£150	Stage 3 - Type C fixed costs	£150

Fast Track Fixed Recoverable Costs

If your case is, or would usually be, allocated to the Fast Track, these are the fixed recoverable costs that apply. The level of fixed costs usually depends on how complex the case is, the stage at which it settles, and the amount of the damages.

Settlement Stage	Complexity Band			
	1	2	3	4
Pre-issue, Damages £1001 - £5,000	-	The greater of (i) £681 or (ii) £124 +20% of damages	£1136 + 17.5% of damages	£2,684 + 15% of damages + £510 per extra defendant
Pre-issue, Damages £5,001 -£10,000	-	£1342 + 15% of damages over £5000	£2271 + 12.5% of damages over £5000	
Pre-issue, Damages £10,001 - £25,000	£599	£2374 + 10% of damages over £10000	£3097 + 10% of damages over £10000	
After the issue of Part 7 proceedings but before allocation to track	£2168	£1445 + 20% of damages	£3303 + 20% of damages	£3097 + 40% of damages + £785 per extra defendant

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After allocation to track but before listing for trial	£2581	£2374 + 20% of damages	£4129 + 25% of damages	£6607 + 40% of damages + £785 per extra defendant
After listing for trial but before the trial takes place	£3923	£3303 + 20% of damages	£5265 + 30% of damages	£8155 + 40% of damages + £785 per extra defendant
At trial	£3923 + advocacy fee	£3303 + 20% of damages + advocacy fee	£5265 + 30% of damages + advocacy fee	£8155 + 40% of damages + £785 per extra defendant + advocacy fee
Trial advocacy fee (see note 1)	a £619 b £877 c £1342 d £2168	a £619 b £877 c £1342 d £2168	a £619 b £877 c £1342 d £2168	a £1652 b £1652 c £2168 d £2994

Note 1

Trial advocacy fees depend on the level of damages awarded. The brackets are:

- a) Up to £3000,
- b) More than £3000 but less than £10000
- c) More than £10000 but less than £15000
- d) More than £15000

If the case settles 2 days before trial 75% of the Trial advocacy fee is recoverable. If it settles the day before trial, or on the day of trial 100% of the Trial advocacy fee is recoverable.

Note 2

Costs can be recovered for obtaining additional specialist legal input, for example from a barrister. The fixed recoverable costs amounts are:

Type of work	Fixed recoverable costs
A. Providing post-issue advice in writing or in conference	£1,000
B. Drafting a statement of case	£500

Note 3

For Fast Track cases the complexity band usually depends on what sort of case you have. Some examples are:

Band 1 – Road Traffic accidents with no personal injury

Band 2 – Road Traffic Accident Personal Injury claims covered by the pre-action protocol and package holiday sickness claims

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Band 3 - Road Traffic Accident Personal Injury claims not covered by the pre-action protocol, Employers Liability Accidents, Public liability, tracked possession claims, housing disrepair, other money claims

Band 4 – Employers Liability Disease claims, particularly complex tracked possession claims or housing disrepair claims, property disputes, professional negligence claims and other claims at the top end of the fast track.

Intermediate Track Fixed Recoverable Costs

If your case is, or would usually be, allocated to the Intermediate Track, these are the fixed recoverable costs that apply. The level of fixed costs usually depends on how complex the case is, the stage at which it settles, and the amount of the damages.

The figures in each column are cumulative totals, apart from the rows shaded green, which can be recovered in addition.

Settlement Stage (S)	Band 1	Band 2	Band 3	Band 4
S1 – Up to service of Defence	£1652 + 3% of damages	£5162 + 6% of damages	£6607 + 6% of damages	£9601 + 8% of damages
S2 – Counsel or specialist lawyer advising post-issue or drafting statement of case	£2065	£2065	(a) £2374; or (b) £3613 if Defence to Counterclaim	(a) £2374; or (b) £3613 if Defence to Counterclaim
S3 Up to date of CMC or directions	£4129 + 10% of damages	£7949 + 12% of damages	£9394 + 12% of damages	£13420 + 14% of damages
S4 Up to end of period for inspection of documents	£4749 + 12% of damages	£9704 + 14% of damages	£11356 + 14% of damages	£16517 + 16% of damages
S5 Up to service of statements and expert reports	£5368 + 12% of damages	£11356 + 16% of damages	£12388 + 16% of damages	£20647 + 18% of damages
S6 Up to Pre Trial Review / 14 days before trial	£6091 + 15% of damages	£15485 + 16% of damages	£16517 + 16% of damages	£24776 + 18% of damages
S7 Counsel advising in conference	£1445	£1755	£2374	£2994

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S8 Up to date of trial	£6813 + 15% of damages	£17550 + 20% of damages	£19614 + 20% of damages	£29938 + 22% of damages
S9 Solicitor's trial attendance per day	£599	£898	£1239	£1445
S10 Advocacy fee day 1	£3303	£3613	£4129	£5988
S11 Advocacy fee subsequent days	£1445	£1755	£2065	£2994
S12 Hand down of judgment and consequential matters	£599	£599	£599	£599
S13 ADR (Solicitor)	£1239	£1239	£1239	£1239
S14 ADR (Counsel)	£1445	£1755	£2065	£2374
S15 Approval for child	£1239	£1445	£1755	£2065
S16 Advocacy Fee	100% of the S10 fee if the case settles on the day of trial or the day before 75% of the S10 if the case settles 2 – 5 days before trial			

Noise Induced Hearing Loss Cases

Claims for Noise Induced Hearing Loss have specific fixed recoverable costs, that are set out in this table:

Stage	1 Defendant	2 Defendants	3 Defendants
Pre litigation			
2A – liability admitted, proceedings not prepared	£2994	£3613	£4129
2B – liability admitted, proceedings prepared	£3613	£4129	£4749
3A – Liability disputed, proceedings not prepared	£4129	£4749	£5368
3B – Liability disputed, proceedings prepared	£4749	£5368	£5988

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Post litigation			
L1 - After the issue of Part 7 proceedings but before allocation to track	+ £1961	+ £2374	+ £2787
L2 - After allocation to track but before listing for trial	+ £1961	+ £2374	+ £2787
L3 After listing for trial but before the trial takes place	+ £2271	+ £2684	+ £3097
Maximum possible = 3B + L 1,2,3	£10942	£12800	£14659
Trial advocacy fee	£1652	£1652	£1652

Fixed Application Costs

If an application has to be made in a fixed recoverable costs case before the case has finished then the fixed costs for it are set out in this table:

Claim or Application type	Fixed recoverable costs
Band 1, 2 or 3 Fast Track Claim	£250
Band 4 Fast Track Claim, Intermediate Track Claim, NIHL claim	£333
Application for - Summary Judgment - Interim payment - Interim Injunction	£750

Restoration Proceedings

Sometimes a claim is being made against a company that has been dissolved and it has to be “restored” so that the claim can proceed. If “Restoration proceedings” are needed in a fixed costs case then additional fixed costs are recoverable.

The amount of additional fixed costs for Restoration Proceedings is currently £1280.